

NOT FOR PUBLICATION

CLOSED

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	Criminal No. 07-376(SRC)
v.	:	
	:	ORDER
DARREN SMITH	:	
	:	
Defendant.	:	
	:	
	:	

CHESLER, District Judge

This matter comes before the Court on the motion by Defendant Darren Smith challenging his restitution and payment thereof (docket item 44). The United States of America has opposed this motion (docket item 45). After consideration of the parties' briefing, and the Court having opted to rule based on those submissions pursuant to Federal Rule of Civil Procedure 78; and for the reasons discussed in the Opinion filed herewith; and for good cause shown,

IT IS on this 23rd day of November, 2009,

ORDERED that Defendant's request for an exemption from any payment of his restitution while incarcerated, or, in the alternative, a payment schedule based on his monthly income be and hereby is **DENIED**.

s/ Stanley R. Chesler
STANLEY R. CHESLER
United States District Judge